

Page 1 of 2 Pages [ ] Original [X] Substitute [ ] Supplemental Atty. Docket: SMITH 9

### Combined Declaration for Patent Application and Power of Attorney

As a below-signed inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SMALL SCALE HYDROGEN OXIDE/NO-DENITRIFYING BIOREACTOR

the specification of which (check one)

- [ ] is attached hereto,  
[X] was filed in the United States under 35 U.S.C. §111 on September 14, 2000, as U.S. Appl. No. 61/662,907; or  
[ ] was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national stage of an international (PCT) application in PCT filed entry requested on date national stage application received U.S. Appl. No. §371/§102(e) date ("if known")

and was amended on May 16, 2002 (if applicable).

(Include dates of all amendments under PCT Art. 19 and 34 if PCT)

I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendments referred to above; and I acknowledge the duty to disclose to the Patent and Trademark Office (PTO) all information known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefit under 35 U.S.C. §§ 119 (a)-(d) and 365 (i) of any prior foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or under §365(a) of any PCT application which designated at least one country other than the U.S., listed below:

Application No.	Country	Filing Date (MM/DD/YYYY)

If I claimed foreign priority above, I hereby identify below any foreign application designating a country other than the United States) or for an inventor's or plant breeder's certificate, having a filing date before that of the earliest application from which foreign priority is claimed (if left blank, then there are none):

Non-Priority Application No.	Country	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional applications listed below:

Application No.	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under 35 U.S.C. §120 of any prior U.S. non-provisional application(s) or under §365(c) of any prior PCT international application(s) designating the U.S., listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such U.S. or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the PTO all information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date (MM/DD/YYYY)	Status (patented, pending, abandoned)

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

All of the practitioners associated with Customer Number 001444

Direct all correspondence to the address associated with Customer Number 001444, which is presently:

BROWDY AND NEIMARK, A.L.L.C.  
624 Ninth Street, N.W.  
Washington, D.C. 20001-4110  
(202) 628-5197

Page 2 of 2 Pages

Atty. Doctar: SMITH 9

Title: SMALL SCALE HYDROGEN; OXIDIZING-DENITRIFYING HYDRIAC R. \_\_\_\_\_  
 U.S. Application filed September 19, 2000 Serial No. 09/662, 7  
 PCT Application filed \_\_\_\_\_ Serial No. \_\_\_\_\_

The undersigned hereby authorizes the U.S. Attorneys or Agents appointed herein to accept and follow instructions from the U.S. Department of the Interior, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. Attorneys or Agents and the undersigned. In the event of a change of the persons from whom instructions may be taken, the U.S. Attorneys or Agents appointed herein will be so notified by the undersigned.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, and that such willful false statements may jeopardize the validity of the application or any patent issued hereon.

FULL NAME OF FIRST INVENTOR Richard L. SMITH	INVENTOR'S SIGNATURE <i>Richard L. Smith</i>	DATE 12/20/02
RESIDENCE Boulder, CO		CITIZENSHIP U.S.
POST OFFICE ADDRESS U.S. Geological Survey, 3215 Madison St. Boulder, CO 80305		
FULL NAME OF SECOND JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP
POST OFFICE ADDRESS		
FULL NAME OF THIRD JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP
POST OFFICE ADDRESS		
FULL NAME OF FOURTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP
POST OFFICE ADDRESS		
FULL NAME OF FIFTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP
POST OFFICE ADDRESS		
FULL NAME OF SIXTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP
POST OFFICE ADDRESS		

ALL INVENTORS MUST REVIEW APPLICATION AND DECLARATION BEFORE SIGNING. ALL ALTERATIONS MUST BE INITIALED AND DATED BY ALL INVENTORS PRIOR TO EXECUTION. NO ALTERATIONS CAN BE MADE AFTER THE DECLARATION IS SIGNED. ALL PAGES OF DECLARATION MUST BE SIGNED BY ALL INVENTORS.